

Examiner-Initiated Interview Summary

Application No.

09/540,524

Applicant(s)

TAMEZ-PENA ET AL.

Examiner

Tiffany A Fetzner

Art Unit

2859

All Participants:

(1) Examiner Tiffany A Fetzner.

(2) Attorney David J. Edmondson Reg. No. 35,126.

Status of Application: _____

(3) _____

(4) _____

Date of Interview: 12 May 2004

Time: 3pm

Type of Interview:

☒ Telephonic

☐ Video Conference

☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☒ No

If Yes, provide a brief description:

Part I.

Rejection(s) discussed:

None

Claims discussed:

1, 28

Prior art documents discussed:

The Japanese article by Higashi which came up on a search of applicant's RCE amended claims,

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

Part III.

☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.

☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

(Examiner/SPE Signature)

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: The examiner contacted applicant's attorney because a Japanese article published in 1998 with English Abstract came up as prior art against applicant's amended RCE claims, in the examiner's updated search. The attorney was advised that the article meets the claim limitations of the pending amended claims given what the article shows in the figures and the English abstract, and that an English translation of the article had been requested by the examiner. The examiner faxed a courtesy copy of the Japanese article to applicant's representative, who indicated that applicant would also seek their own English translation of the reference. Applicant's representative acknowledged that the examiner's rejection of the pending claims would be based on the Japanese reference itself without a translation, since an English translation has not been provided to the Examiner. .